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Aerial view of Grand Isle after Hurricane Isaac in September 2012. Later that month a fire at a motel killed two people. (Susan Poag, NOLA.com | The Times-Picayune)

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A former inspector with the state fire marshal's office was booked Wednesday with filing false public records after an investigation by the state Office of Inspector General found that he falsified records to hide his failure to inspect a motel in **Grand Isle** where **two people perished in a fire** in September.

The arrest of Nunzio Marchiafava, 67, of Gretna, on charges of filing false public records comes nine days after a Baton Rouge judge **approved a warrant for the IG to search** the fire marshal's computer servers for emails, instant messages and calendar information in connection with the probe, according to court records. The investigation stemmed from a complaint from the watchdog Metropolitan Crime Commission.

State Police Capt. Doug Cain said Marchiafava turned himself in to the East Baton Rouge Parish Sheriff's Office. Bond

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information wasn't immediately available.

The arrest is the latest in a string of embarrassments for the state fire marshal's office, which has been the subject of two IG reports in recent months. An earlier report blasted the office for failing to properly inspect a Greensburg carnival ride that malfunctioned and seriously injured two teenagers. The state ultimately settled a lawsuit in that case for \$180,000.

In the case of the Grand Isle motel fire, the fire marshal's office said in October that the office "properly responded" to the complaints of unsafe conditions that preceded the fire.

Crime commission President Rafael Goyeneche, whose complaints to the IG spurred the probes, said he doesn't understand why Fire Marshal Butch Browning remains in his post.

"We're at the very least seeing a continuing pattern of unacceptable management in the fire marshal's office by Butch Browning," Goyeneche said. "When will enough be enough? Only the governor can answer that."

The Jindal administration reinstated Browning, an appointee, after he briefly stepped down last year amid a flap over whether he improperly wore military medals he didn't earn.

In statement released late Wednesday, Jindal spokesman Sean Lansing said: "We have confidence in Butch. We have zero tolerance for fraud and corruption, and we commend the Louisiana State Police and the Inspector General for investigating the actions of Nunzio Marchiafava and making this arrest."

According to [the arrest warrant](#) made public Wednesday, Marchiafava confessed to falsifying reports to deceive his supervisors when he was interviewed by investigators from the Inspector General's office and the State Police. He said he "became very worried about the situation" after the fire and destroyed documents that showed he was in New Orleans on the day he had supposedly gone to inspect the motel, the warrant says.

In March 2012, six months before the fatal fire, the fire marshal's office had received complaints from neighbors of the Willow Creek Apartments -- a motel along Louisiana 1 in Grand Isle also known as the Rusty Pelican -- who said it posed an "extreme, severe" fire hazard. Marciafava, then the New Orleans district supervisor for the fire marshal's office, was assigned by his boss, Assistant State Fire Marshal Dan Wallis, to investigate.

On April 3, 2012, Marciafava emailed Wallis, saying he had visited the property the day before but was unable to enter. In that email, Marchiafava told Wallis he would return for another inspection, this time accompanied by the motel's owner and Jefferson Parish Code Enforcement.

The next month, Wallis asked Marchiafava to forward his second inspection report and any other information he had. Marchiafava replied that he had not been in contact with the Grand Isle fire chief or Jefferson Parish officials, but promised to return May 22.

Four more months passed, and then the fatal fire occurred on Sept. 26, killing residents Belle Brandl, 60, and Timothy Foret, 46. The next day, Marchiafava sent a "special report" by email to Wallis that purported to document a May 25 visit to the motel. Marchiafava said in the email that he hadn't been able to organize the joint inspection with the parish, and thus went alone. He claimed to have traveled 180 miles roundtrip to the building in Grand Isle, the warrant application said.

The application, citing cell phone records, alleged that Marchiafava never went back to Grand Isle, and that he "prepared and submitted a false public record" to deceive the public and his supervisors.

Investigators also found discrepancies with the distances and mileages reported by Marchiafava. While his daily activity report said his odometer read 20,519 miles after his trip to Grand Isle, his odometer didn't exceed 20,519 miles until June 1, the warrant said.

Marchiafava, who retired from the fire marshal's office about a month ago, declined to speak with NOLA.com | The Times-Picayune when contacted earlier this month about the case. He did not immediately return a phone message left Wednesday.

Arson investigators ultimately were unable to determine the cause of the fatal fire.

Brant Thompson, deputy chief of the state fire marshal's office, said Wednesday that the fire marshal is "very concerned and disturbed to learn that a former employee of our agency was arrested for actions that he took while an employee."

Asked whether the fire marshal believes Marchiafava acted alone, Thompson said: "Certainly, we hope this is the extent of the problem. We don't believe it will extend to other employees. I believe it's isolated to one act by one employee. That's not to minimize our level of concern."

While noting that the IG's investigation is continuing, Thompson said the fire marshal doesn't believe Marchiafava - - who he said had worked in fire safety for 40 years, including a long stint with the New Orleans Fire Department -- ever did anything else of the sort.

"We have no reason to suspect he would have created any other fictitious documents, but we will reserve judgment on that until we've had an opportunity to review investigation in its entirety," he said. "It's very shocking."

Inspector General Stephen Street said he couldn't say much beyond what was in the arrest warrant, but he said the IG still has much to sift through. "We are investigating the entire circumstances of the complaint filed with the fire marshal; how the fire marshal responded to that complaint; and what happened in the fire that caused two people to die. We're looking at every aspect of it," he said.

Goyeneche said the scandal over the motel fire must be viewed in a broader context of dysfunction at the fire marshal's office, citing a scathing report issued in November

by the inspector general.

The November IG report also took the fire marshal's office to task for failing to inspect the amusement park ride, but it also flagged payroll issues, the improper sale of used weapons to employees and Browning's use of military medals that he did not earn as part of his dress uniform.

The Grand Isle fire is perhaps the most troubling episode of the lot, Goyeneche said, noting that Browning "publicly proclaimed in October that they had looked into the fire, that the place had been inspected twice and that there was nothing the fire marshal could have done to prevent the fire."

He added: "Well, maybe they couldn't have prevented the fire, but they could have closed the building and those people wouldn't have been in there. This is something they had six months to do, they failed to do it and two people are dead."

Browning retired last April to pursue a job in the private sector after the medals scandal emerged. But **he was reinstated by the Jindal administration several weeks later after being cleared of wrongdoing by the State Police.**

In the tumult that surrounded Browning's resignation, a group of legislators eliminated \$1.7 million that funds the Inspector General's Office from the state budget in a move that was considered to be linked to the ongoing investigation. The money for the office was later returned to the budget.

Goyeneche of the crime commission said Marchiafava's arrest shows how necessary Street's office is.

"Thank God for the state inspector general," he said. "We don't have subpoena power. If not for the inspector general, the public would still be ignorant of what happened here, and this public employee would have escaped justice."



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